

CALENDAR ITEM

C51

A 10

04/23/15

PRC 5083.1

S 2

V. Caldwell

GENERAL LEASE – OTHER

APPLICANT:

Leona H. Pedersen, as Trustee of the Lorenze W. and Leona H. Pedersen Trust
Dated July 12, 2007

AREA, LAND TYPE, AND LOCATION:

Filled and unfilled sovereign land in the Petaluma River, adjacent to 136 Harbor Drive, near the city of Novato, Marin County.

AUTHORIZED USE:

Continued use and maintenance of an existing uncovered floating boat dock, walkway, shed, and stationary ark previously authorized by the Commission; and existing fill not previously authorized by the Commission.

LEASE TERM:

10 years, beginning January 15, 2015.

CONSIDERATION:

\$1,814 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On April 24, 2001, the Commission authorized a General Lease - Recreational and Residential Use to Lorenze W. Pedersen. The lease expired on January 14, 2011. On July 19, 2007, the upland property was transferred to Lorenze W. Pedersen and Leona H. Pedersen, as Trustees of the Lorenze W. and Leona H. Pedersen Trust Dated July 12, 2007, without prior Commission authorization. On June 6, 2010, Lorenze W. Pedersen passed away. Leona H. Pedersen, as Trustee of the Lorenze

CALENDAR ITEM NO. **C51** (CONT'D)

W. and Leona H. Pedersen Trust Dated July 12, 2007, is now applying for a new General Lease – Other.

3. Since the lease expired on January 14, 2011, the Applicant continued to pay rent and the lease was held in holdover status. The new lease will begin on January 15, 2015, when the last holdover period expired.
4. While the fill area had not been previously authorized by the Commission, it has existed at this location for many years. The existing fill area does not interfere with the public's current public trust needs in the area. Therefore, staff recommends authorization of these facilities.
5. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Other to Leona H. Pedersen, as Trustee of the Lorenze W. and Leona H. Pedersen Trust Dated July 12, 2007, beginning January 15, 2015, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, walkway, shed, and stationary ark previously authorized by the Commission; and existing fill not previously authorized by the Commission as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$1,814 with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 5083.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Petaluma River, lying adjacent to Rancho De Novato, patented April 10, 1866, Marin County, State of California and more particularly described as follows:

All those lands underlying an existing floating boat dock, walkway, gangway, boathouse/shed and landing pad lying adjacent to those parcels as described in Grant Deed, recorded July 19, 2007 in Document Number 2007-0044313 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said river.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 10/17/14 by the California State Lands Commission Boundary Unit



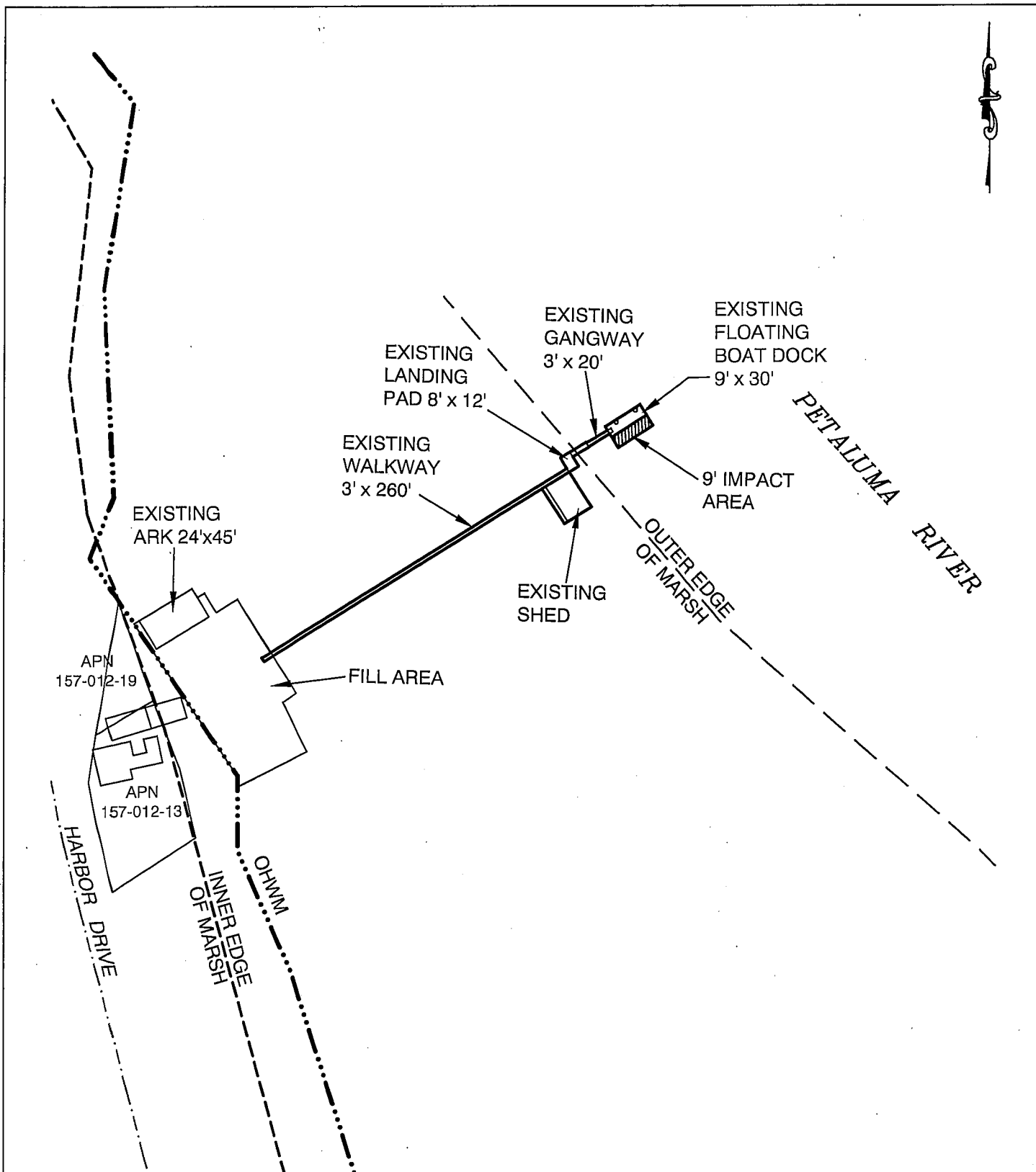


EXHIBIT A

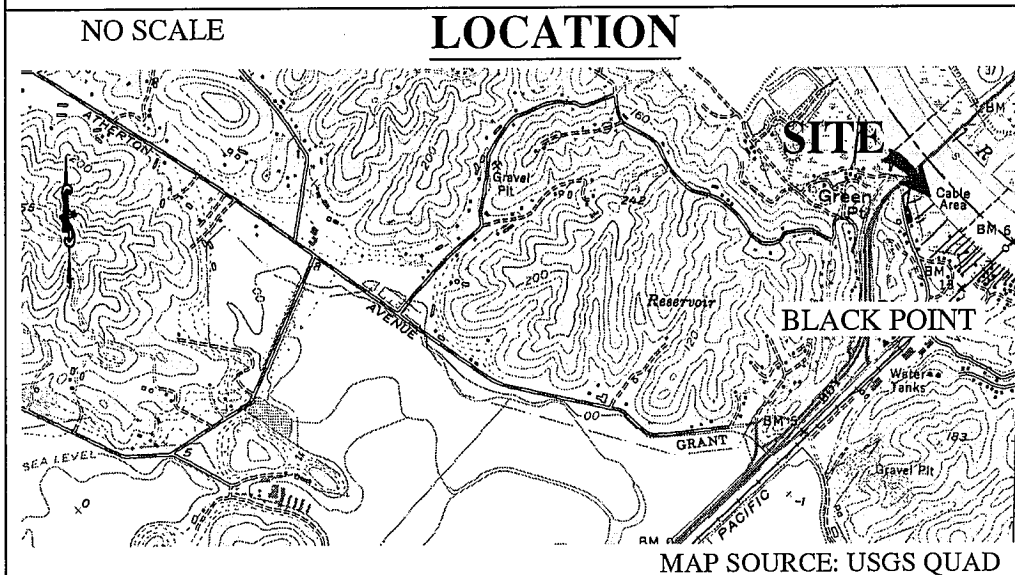
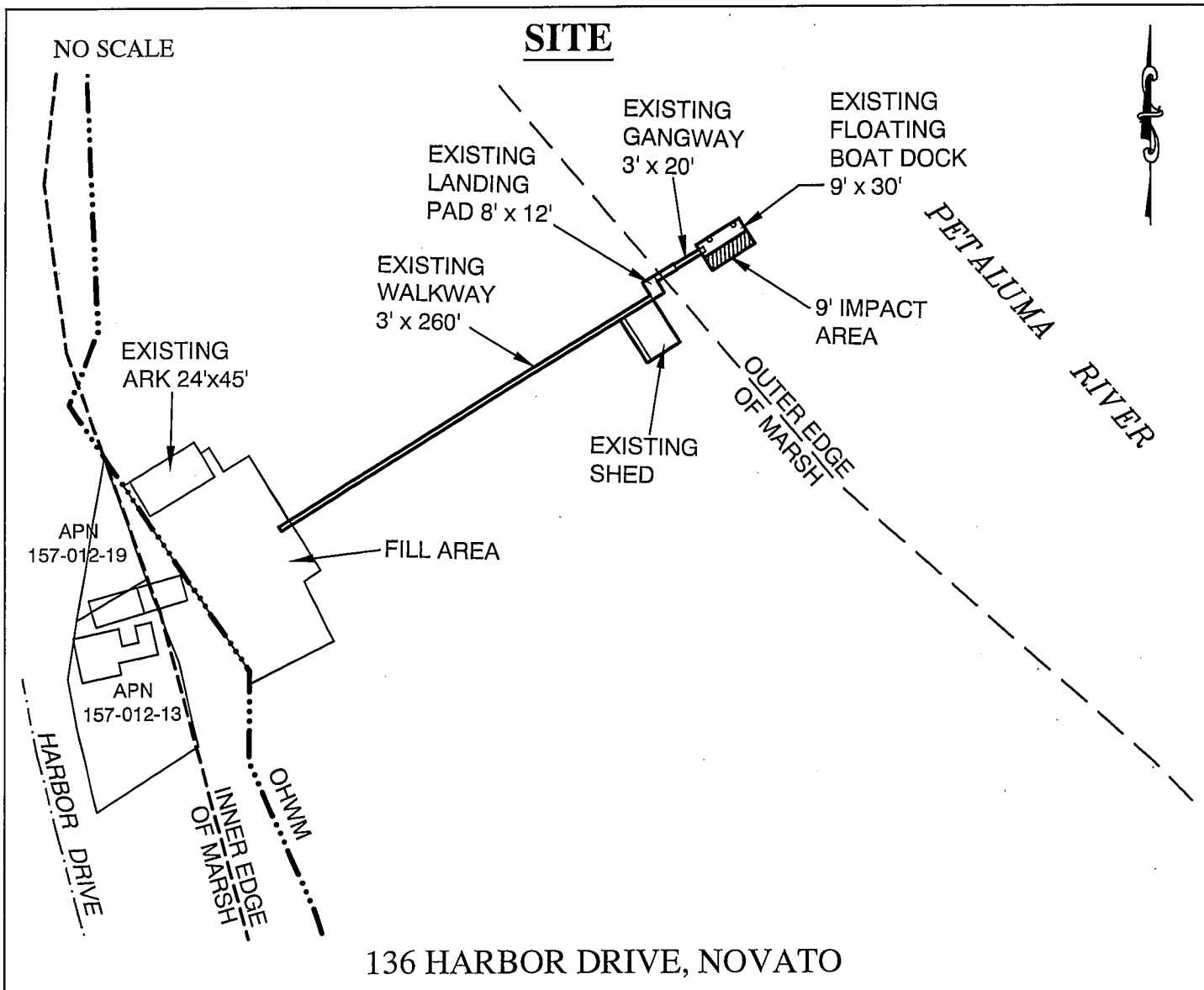
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LAND DESCRIPTION PLAT
PRC 5083.1, PEDERSEN
MARIN COUNTY

CALIFORNIA STATE
LANDS COMMISSION





This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 5083.1

PEDERSEN

APNs 157-012-13 & 19

GENERAL LEASE-

OTHER USE

MARIN COUNTY



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